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12 Attorneys for Defendant  
13 MILPITAS MATERIALS COMPANY,  
a California Corporation

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA

18 OPERATING ENGINEERS' HEALTH AND  
19 WELFARE TRUST FUND FOR NORTHERN  
CALIFORNIA, et al.

Case No. 20-cv-09102 HSG

**STIPULATION FOR VOLUNTARY  
DISMISSAL; ORDER THEREON**

20 Plaintiffs,

21 v.

22 MILPITAS MATERIALS COMPANY, a  
23 California Corporation,

24 Defendant.

25  
26 IT IS HEREBY STIPULATED by the parties to this action, through their respective counsel  
27 that, this matter having been settled, the Court dismiss this action with prejudice, with all parties to

1 bear their own costs and attorneys' fees. The parties also request that the Court vacate the Case  
2 Management Conference currently set for August 24, 2021, at 2:00 p.m.

3 IT IS SO STIPULATED.

4 DATED: August 21, 2021

SALTZMAN & JOHNSON LAW  
CORPORATION

5 By: /S/ Anne M. Bevington  
6 Anne M. Bevington  
7 Attorneys for Plaintiffs, Operating Engineers'  
8 Health and Welfare Trust Fund for Northern  
California, et al.

9 DATED: August 21, 2021

10 McPHARLIN SPRINKLES & THOMAS LLP

11 By: /S/ Jeanine D. DeBacker  
12 Jeanine D. DeBacker  
13 Attorneys for Defendant  
MILPITAS MATERIALS COMPANY

14 CERTIFICATION RE SIGNATURES

15 I attest that concurrence in the filing of this document has been obtained from the other  
16 Signatory.

17 Dated: August 21, 2021

/S/ Anne M. Bevington

ANNE M. BEVINGTON

18 **ORDER**

19 The parties having stipulated, and good cause appearing:

20 IT IS HEREBY ORDERED that this matter is dismissed with prejudice, the parties to bear their  
21 own costs and attorneys' fees.

22 IT IS FURTHER ORDERED that the Case Management Conference set for August 24, 2021,  
23 at 2:00 p.m., is vacated.

24 IT IS SO ORDERED.

25 Dated: 8/23/2021

  
26 HON. HAYWOOD S. GILLIAM, JR.  
27 UNITED STATES DISTRICT JUDGE